REMARKS/ARGUMENTS

Claims 1-3, 5, and 8-25 are now pending in the present application. By the current response, claim 6 was cancelled; claims 1, 5, 12-13, and 17-24 were amended; and claim 25 was added. Reconsideration of the claims is respectfully requested.

I. Examiner Interview

The Examiner is thanked for the courtesy of an interview. Although no agreement was reached as a result of the brief discussion, the undersigned agent has amended the claims as discussed and asks the Examiner to call for further discussion when this case is next picked up for action.

II. Objection to Claims: Claims 5 and 6

Claims 5 and 6 were objected to as being dependent upon a cancelled base claim. By the present response, claim 6 is cancelled, while claim 5 is amended to be dependent on claim 1. This objection is now overcome.

III. 35 U.S.C. § 103, Obviousness: Claims 1-3, 13, and 17-22

Claims 1-3, 13, and 17-22 stand rejected under 35 U.S.C. § 103 as being unpatentable over **Best** et al., Apparatus for an Improved ISDN Terminal Adapter Having Automatic ISDN Switch Detection and Methods for Use Therein, U.S. Patent No. 6,118,796, September 12, 2000 (hereinafter "**Best**") in view of **Shah**, Mechanism for Preventing Unnecessary Timeouts and Retries for Service Requests in a Cluster, U.S. Patent No.6,950,885, September 27, 2005 (hereinafter "**Shah**"). This rejection is respectfully traversed.

The rejection states:

> Regarding claim 1: ... Best teaches a method, operable in a data processing system having a plurality of processes connection, for performing a communication connection ... however, Best does not teach in details responsive to the second process allowing said communication management request, initiating, under control of said adapter, multiple communication connections and unreliable datagram resolutions.
>
> In the same field of endeavor, Shah discloses" ...Most communication between InfiniBand.TM. service providers (service class managers) and clients is done using Unreliable Datagram (UD) queue pairs (QPs). For such queue pairs (QPs), no reliability guarantees are provided and service request or response messages can get lost in the IBA subnet 400. In this situation, when a UD client does not receive a response for a service request within a certain amount of time, the client simply resubmits the service request to the service provider ... " [see Shah; column 7, lines 62- 67].

> Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Shah's teachings of a method and apparatus for multiple communication connections and unreliable datagram resolutions with the teachings of Beat for the purpose of providing automatic ISDN switch detection, automatic service profile identification configuration, ... and automatic data compression as stated by Best in lines 22-28 of column 4. By this rationale claim 1 is rejected.

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The independent claims have now been amended to more clearly recite that the communication techniques are directed to communications within a System Area Network (SAN). Support for these amendments is found in the application on page 1, line 12 through page 2, line 17. Exemplary claim 1 now recites:

> 1. (Amended) A method, operable in a data processing system connected to a System Area Network (SAN) and having a plurality of processes, for performing communication management, comprising the steps of:
>
> sending a communication management request from a first process within said plurality of processes to a second process within said plurality of processes, wherein said communication management request is sent via channel adapters that are part of said SAN, wherein a private data field contains communication attributes for a plurality of communication connections and unreliable datagram resolutions;
>
> receiving a reply to said communication establishment request; and
>
> responsive to said second process allowing said communication management request, initiating, under control of said channel adapters, multiple communication connections and unreliable datagram resolutions.

If the Patent Office does not produce a *prima facie* case of unpatentability, then without more the applicant is entitled to grant of a patent. *In re Oetiker*, 977 F.2d 1443, 1445, 24 U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992); *In re Grabiak*, 769 F.2d 729, 733, 226 U.S.P.Q. 870, 873 (Fed. Cir. 1985). A *prima facie* case of obviousness is established when the teachings of the prior art itself suggest the claimed subject matter to a person of ordinary skill in the art. *In re Bell*, 991 F.2d 781, 783, 26 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1993). The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

It is submitted that the claims, as amended, distinguish over the combination of **Best** and **Shah** for at least two reasons: (a) **Best** and **Shah** do not show all of the features of the claims, and (b) one of ordinary skill in the art would not look to combine these two references when they are looked at as a whole.

The rejection cites **Best** as showing the creation of a communications connection, although the rejection notes that **Best** does not show creating multiple communication connections or unreliable datagram resolutions. **Shah** is apparently cited to show the latter. The problem with so reading **Shah** is that the cited excerpt is discussing multiple messages (e.g., "*most communication ... is done using*

Unreliable Datagram (UD) queue pairs (QPs)" (**Shah**, column 7, lines 62-65)) and multiple transmissions of a single unreliable datagram (e.g., "*when a UD client does not receive a response for a service request ... the client simply resubmits the service request to the service provider*" (**Shah**, column 7, line 67 through column 8, line 3)). However, the sending of multiple messages or unreliable datagrams does not meet the feature of establishing multiple connections or unreliable datagram resolutions. The invention recited in claim 1 is directed to establishing the structure for communications, while the excerpt from **Shah** is directed to the communications themselves. **Shah** does not show initiating multiple connections and/or multiple UD resolutions, and more especially, **Shah** does not show or suggest that the multiple connections or multiple UD resolutions could be initiated by a single request. The combination of **Best** and **Shah** does not meet the features of "*sending a communication management request ... wherein said communication management request is sent via channel adapters that are part of said SAN, wherein a private data field contains communication attributes for a plurality of communication connections and unreliable datagram resolutions*" or "*responsive to said second process allowing said communication management request, initiating, under control of said channel adapters, multiple communication connections and unreliable datagram resolutions*". Therefore, the combination of these references does not meet the features of claim 1.

Additionally, it is noted that **Best** is directed to an ISDN terminal adapter, used in a digital telephone system for both voice and data, while **Shah** is directed to "*network technologies for linking servers, workstations and network-connected storage devices within a cluster*" (**Shah**, paragraph 3). These are different technologies, which use different mechanisms to provide connectivity and messaging between nodes in their respective systems. One of ordinary skill in the art would not be motivated to combine these two references because of the differences in the methodology used within the different systems. This lack of motivation is even truer in light of the amendments to claim 1, which now specifically recites that the method takes place in a data processing system connected to a System Area Network (SAN) and that the "*communication management request is sent via channel adapters that are part of said SAN*". **Best**, in particular, is not related to a SAN, but to a telephone system and would not be considered relevant to the establishment of connections within a SAN.

For both of these reasons (the fact that features in claim 1 are not met by the references and the lack of a motivation to combine the different technologies found in the two references), the rejection of claim 1 is believed overcome. Further, independent claims 13 and 17-22 are rejected for reasons similar to claim 1 and their rejections are overcome for the same reasons as are discussed above. Specifically, **Best** and **Shah** do not show or suggest all of the features of the claimed invention and one of ordinary skill in the art would not be motivated to combine these two references in light of their very different

technologies. Claims 2-3 are dependent on claim 1 and inherit the allowability of their independent claim.

Therefore, the rejection of claims 1-3, 13, and 17-22 under 35 U.S.C. § 103 has been overcome.

IV. Objection to Claims: Claims 8-12, 14-16, and 23-24

The Examiner has stated that claims 8-12, 14-16, and 23-24 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner is thanked for the indication of allowable subject matter. However, Applicants have amended the independent claim in a manner that is believed to make the independent claims allowable. Since the instant claims are dependent on claims that Applicants assert have been made allowable, it is believed that the instant claims are also allowable.

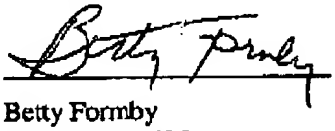
V. Conclusion

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: May 30, 2006

Respectfully submitted,



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